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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह व्यापक संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 21st February 1969:—

BILL NO. 11 OF 1969

A Bill to constitute Students' Unions and to provide for their representation in Central Universities bodies.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Central Universities (Students' Participation), Act, 1969.

Short title and comment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different Central Universities.

2. In this Act, unless the context otherwise requires:—

Definitions.

(a) "Central University" means—

(i) the Banaras Hindu University established under the Banaras Hindu University Act, 1915, or

16 of 1915.

(ii) the Aligarh Muslim University established under the Aligarh Muslim University Act, 1920, or

40 of 1920.

(iii) the Delhi University established under the Delhi University Act, 1922, or

8 of 1922.

(iv) the Visva-Bharati as incorporated under the Visva-Bharati Act, 1951, or

29 of 1951

(v) the Jawaharlal Nehru University constituted under the Jawaharlal University Act, 1966,
as the case may be;

53 of 1966.

(b) "college" means a college or a teaching institution maintained by, or admitted to the privileges of, a Central University;

(c) "College Students' Union" means a Students' Union constituted for a college under section 9;

(d) "prescribed" means prescribed by bye-laws made under this Act;

(e) "University Students' Union" means a Students' Union constituted for a Central University under section 3.

Constitution of
University Students'
Union.

3. (1) There shall be constituted a Students' Union in each Central University.

(2) Every Students' Union constituted under sub-section (1) shall be a body corporate by the name under which it is constituted having perpetual succession and a common seal and shall by the said name sue and be sued.

(3) Every student admitted to a Central University or to any of its colleges shall be a member of the Students' Union constituted under sub-section (1) for that University:

Provided that a student may, by notice in writing to the Registrar of the Central University, terminate, without assigning any reason, his membership of the University Students' Union.

Constitution,
etc.
of a
Managing
Committee.

4. (1) Every Students' Union constituted under section 3 shall have a Managing Committee which shall be responsible for the management and administration of the affairs of the Students' Union in accordance with the provisions of this Act.

(2) The Managing Committee shall consist of the following persons, namely:—

(a) a President, a Vice-President and a Secretary to be elected by all the members of the Students' Union;

(b) the President and Secretary of all the College Students' Unions *ex-officio*;

(c) such number of other members, not exceeding five, as may be prescribed.

(3) The term of office of the members of the Managing Committee, the manner of filling vacancies among, and the procedure to be followed in the discharge of their functions by, the members of the Managing Committee shall be such as may be prescribed.

5. The University Students' Union shall exercise the following powers and perform the following duties, namely:—

- (a) to hold regular meetings and conferences and to invite eminent persons to address such meetings and conferences;
- (b) to communicate with the authorities of the Central University regarding any problems arising in the administration of the affairs of the University;
- (c) to settle all differences amicably between the authorities and students so as to prevent demonstrations and strikes;
- (d) to arrange periodical meetings between the students and the teachers of the Central University so as to exchange views and promote cordial relationship between them;
- (e) to regulate generally the discipline of the students of the Central University;
- (f) to represent the students of the University at all important meetings and conferences convened by the Central University;
- (g) to perform such other functions as may be prescribed.

6. The Court, the Academic Council and such other authorities of a Central University as may be specified by the Court, shall consist of such number of representatives of the University Students' Union as may be specified by the Statutes of that University and the Statutes of every Central University shall provide for such representation.

7. (1) Every student admitted to a Central University or to any of its colleges, other than any student referred to in the proviso to sub-section (3) of section 3, shall pay along with the tuition fees, a sum of not more than rupees three per annum as subscription.

(2) Every University Students' Union shall have a Fund to be called the Students' Union Fund and there shall be credited thereto—

(a) the subscriptions collected under sub-section (1);

(b) all moneys received by the University Students' Union by way of grant, gift, donation, contribution, transfer or otherwise.

(3) The amounts in the Fund shall be deposited in such scheduled banks and shall be operated by such persons and in such manner as may be prescribed.

(4) The amounts in the Fund shall be applied for meeting the expenses of the University Students' Union including expenses incurred in the exercise of its powers and the performance of its duties under this Act and the surplus, if any, shall be invested in such securities as may be prescribed.

8. (1) The Managing Committee shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed.

Powers
of
Univer-
sity Stu-
dents'
Union.

Represen-
tation in
the autho-
rities of
the Cen-
tral Uni-
versity.

Funds of
the Uni-
versity
Students'
Union.

Accounts
and audit

(2) The accounts of the University Students' Union shall be audited in such manner as may be prescribed, by a chartered accountant within the meaning of the Chartered Accountants Act, 1949 or by a student, who, in the opinion of the Managing Committee, has adequate knowledge or experience in the audit of accounts.

38 of 1949.

**Constitution of
College
Students'
Unions.**

9. (1) There shall be constituted a Students' Union in every college.

(2) A College Students' Union shall consist of a President, Vice-President, a Secretary and such number of other members not exceeding eight as may be specified by the Principal or head of the college, to be elected by all the students of the college.

(3) The powers, duties and functions relating to the College Students' Union shall be such as may be prescribed.

**Powers
to frame
bye-laws**

10. (1) The Executive Council of a Central University may, with the prior approval of the Court of the University, frame bye-laws for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such bye-laws may provide for all or any of the following matters, namely:—

(a) the number of members to be elected or nominated to the Managing Committee;

(b) the term of office of the members of the Managing Committee, the procedure to be followed in the discharge of their functions by, and the manner of filling vacancies among, such members;

(c) the additional functions which a University Students' Union may perform;

(d) the manner in which the amounts in the Fund shall be deposited or invested;

(e) the form in which the annual statement of accounts of the University Students' Union shall be prepared;

(f) the manner in which the accounts of the University Students' Union shall be audited;

(g) the powers, duties and functions that may be performed by the College Students' Unions;

(h) any other matter which is required to be, or may be prescribed.

STATEMENT OF OBJECTS AND REASONS

Student unrest has been an international phenomenon. It is not only to be found in the undeveloped nations of Asia, Africa and Latin America; it is also a characteristic feature of the affluent society of Western Europe and North America as well as East European Societies on the way to affluence. In May|June last year, it was the students who spear-headed the attack on the Gaullist regime in France and shook it to its very foundation.

In India, too, with the expansion of University education students have become a big force in our society. They have manifold grievances, the failure to redress which leads to eruption on the University campuses from time to time. Police brutality and unimaginative policies of the University Administrations have aggravated the problem of students' dissatisfaction. There is, besides, the spectre of unemployment which haunts our University youth.

Participation in and association with the functioning of Universities at all levels is, therefore, considered by thinking people to be necessary. This Bill seeks to provide for the setting up of the students unions, teacher-student joint staff committees as also for students' associations with the University bodies which will give them a sense of participation as well as training in responsibility.

NEW DELHI;
The 3rd January, 1969.

MADHU LIMAYE,

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill confers on the University Court and Executive Council certain rule making powers.

This delegation of rule making authority is of a normal character and wholly legal and constitutional.

BILL No. 8 OF 1969

a bill to amend the University Grants Commission Act, 1956.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. This Act may be called the University Grants Commission (Amendment) Act, 1969.

Short title.

2. After section 12 of the University Grants Commission Act, 1956 (hereinafter referred to as the principal Act), the following new section shall be inserted, namely:—

Insertion of new section 12A.

“12A. (1) Notwithstanding anything contained in this Act or any other Act, it shall be the special duty of the Commission to make recommendations to the State Governments and Universities concerned in respect of—

- (a) the compulsory setting up of University students' unions and college unions with the right to students to opt out of membership;
- (b) the mandatory setting up of teacher-student joint staff committees at the University and college levels for discussing University problems and making suggestions to the appropriate college and University bodies; and
- (c) the necessary amendment of the University Acts to provide for participation in and association with the University bodies, such as court|senate|academic council specified by the Commission by representatives elected by the students or nominated by their unions."

Amend-
ment
of section
14. 3. In section 14 of the principal Act, after the words and figures "section 12", the words and figures "or section 12A" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Under our Constitutional scheme education is a State subject. Parliament is not authorised to pass any laws in respect of University or other education in the States. However, we have the University Grants Commission which has both the powers and the resources necessary to secure improvement in the quality of University education as well as their administration. The Central Government has through the University Grants Commission secured such improvement through the judicious use of the Commission's power to make grants to the Universities in the States sphere.

The problem of student unrest is not a problem confined to Central Universities alone. If anything it is even more acute in the State Universities.

This Bill lays on the University Grants Commission a special duty of making recommendation to the State Universities in respect of (a) compulsory setting up of Universities and College Unions which do not at present exist in most States, (b) setting up of joint teacher-student joint staff committee, and (c) association of student representatives with the court|senate|academic councils and other University bodies.

It is desirable, therefore, to give the students opportunities for fruitful participation in University life at all levels as well as to provide for training in shouldering important responsibilities. This will help remove the sense of frustration among the students and thereby make for a more peaceful and healthier academic life.

NEW DELHI;
The 3rd January, 1969.

MADHU LIMAYE.

BILL No. 13 OF 1969

a bill further to amend the Representation of the People Act, 1951.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Representation of the People (Amendment) Act, 1969.

Amend-
ment
of section
62.

2. In section 62 of the Representation of the People Act, 1951, after sub-section (5), the following sub-section shall be inserted, namely:—

“(6) A person who does not cast his vote without any specific reason shall be liable to prosecution; and the police, after getting the list of all persons who have not cast their votes from the Returning Officer after the voting is over, shall suo motu file chalans against them and in case the court is satisfied that the reasons given by a person for not casting his vote are not adequate, he shall be punishable with fine which may extend to fifty rupees or with simple imprisonment for a term which may extend to one month or with both.

43 of 1950.

STATEMENT OF OBJECTS AND REASONS

The practice of preventing backward, poor and minority classes of people from casting their votes in elections is on the increase. Forged votes are cast for those who do not come to cast their votes. Casting a vote should be made compulsory for everyone in order to remove this evil and to arouse the democratic feelings in those persons who are indifferent to politics.

If casting of vote is made compulsory, the expenditure on elections would come down, and the policy of winning the hearts of people instead of their persons will come in vogue.

Hence this Bill.

NEW DELHI ;
The 9th January, 1969.

MAHARAJ SINGH BHARTI.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for the prosecution of persons who do not cast their votes. It may be necessary to appoint more Judges etc. for this purpose. On a rough estimate, the expenditure to be incurred in this behalf and which would have to be met from out of the Consolidated Fund of India shall be about ten lakh rupees. This is a recurring expenditure.

Non-recurring expenditure in this behalf may amount to fifteen lakh rupees.

BILL No. 12 OF 1969

A Bill to provide for declaration of religion by a person on attaining majority.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Adoption of Religion Act, 1969. Short Title, extent and comment.
- (2) It extends to the whole of India.
- 5 (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
2. 'Religion' means the religion of different communities such as Hindu, Muslim, Christian, Buddhist, etc. Definition
3. Every minor boy and girl in India shall be treated as having no Adoption religion and he shall be treated as belonging to the religion which he of religion declares as having adopted after attaining the age of majority.

STATEMENT OF OBJECTS AND REASONS

Illiterate, ignorant and minor persons do not understand the deeper philosophies of religion. Inheriting the religion from their parents, they indulge in non-religious activities instead of religious ones due to their ignorance or immaturity. Instead of developing secularism, communalism is practised.

Religion is the subject of intellect and soul, and cannot be inherited from parents and a child cannot understand it. When a majority of the population was illiterate, religion as inherited was inevitable but now when education is spreading and every citizen would be an educated person in future, it is necessary to have an acceptable approach towards religion on attaining the age of majority in the interest of national integrity, secularism and the development of brighter aspects of the religion.

Hence this Bill.

NEW DELHI;
The 17th January, 1969.

MAHARAJ SINGH BHARTI

S. L. SHAKDHER,
Secretary.